

ORDINANCE NO. 020-16

AN ORDINANCE AMENDING THE CITY OF NAPOLEON, OHIO ENGINEERING DEPARTMENT RULES AND REGULATIONS, TO WIT: RULE 4.1.3; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, Rule 4.1.3 (Sidewalks and Drive Approaches) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

SIDEWALKS AND DRIVE APPROACHES

Sidewalks shall be located along both sides of streets, unless otherwise approved by the City Engineer. Sidewalks shall be four inches (4") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411) except within five feet (5') of drive approaches and within the intersection of rights-of-ways. At drive approaches and intersections, sidewalks shall be six inches (6") of ODOT Class "C" concrete over four inches (4") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). *(Amended – May 2, 2016 – Ordinance No. 009-16) (Amended – August 7, 2006 – Ordinance No. 062-06)*

Sidewalks shall be four feet (4') in width when located at least two feet (2') from the back of curb or edge of pavement, as applicable. Where within two feet (2') of the back of curb or edge of pavement, sidewalks shall be five feet (5') in width.

Sidewalks shall have a transverse slope no greater than one quarter inch ($\frac{1}{4}$ ") per foot, nor a longitudinal slope greater than one inch (1") per foot.

Handicap ramps with curb drops shall be provided at all intersections. *(Amended – August 7, 2006 – Ordinance No. 062-06)*

Drive approaches for residential developments shall be a minimum six inches (6") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). Commercial drive approaches shall be no less than eight inches (8") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). Minimum drive approach curb cuts shall be fourteen feet (14'). Maximum drive approach curb cuts shall be thirty feet (30') for residential drives. Both minimum and maximum curb cuts include three feet (3') wide drive wings on each side of the drive approach. No residential lot shall have more than one (1) drive unless approved by the City Engineer. *(Amended – May 2, 2016 – Ordinance No. 009-16) (Amended – August 7, 2006 – Ordinance No. 062-06)*

Commercial and industrial drive approaches shall have Type 2A concrete curb with radii in place of wings. Commercial drive approach widths shall be submitted for review by the City Engineer. *(Amended – May 2, 2016 – Ordinance No. 009-16)*

Section 2. That, the Engineering Rules and Regulations as amended by this Ordinance shall be deemed effective retroactively back to April 1, 2016.

Section 3. That Rule 4.1.3 of the City Engineering Department Rules and Regulations found in CNER98-1, as existed prior to the passage and enactment of this Ordinance, is repealed, and that all other changes to the Rules and Regulations as found in Ordinance No. 009-16 remain current and effective.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

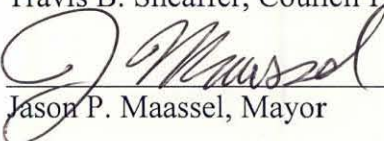
Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 6. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for the timely planning, bidding, and implementation of City construction projects; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: June 6, 2016


Travis B. Sheaffer, Council President

Approved: June 6, 2016


Jason P. Maassel, Mayor

VOTE ON PASSAGE 5 Yea 0 Nay _____ Abstain

Attest:


Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 020-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 20th day of July, 2016; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.


Gregory J. Heath, Clerk/Finance Director

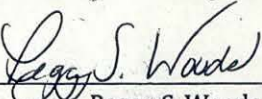
PROOF OF PUBLICATION

State of Ohio, Henry County, ss.

Christopher Cullis, being dully sworn,
Deposes and says that he is the Publisher
of the Northwest Signal, a daily newspaper
published in Napoleon, in said Henry County,
Ohio, and of general circulation herein; that
the annexed advertisement and notice was
printed and published in said newspaper for
1 days/weeks, the first insertion being
on the 20th day of July 2016 and
for 0 consecutive days/weeks thereafter.

X 
Christopher Cullis

Subscribed to in my presence and sworn before
me this 21 day of July 2016.

X 
Peggy S. Woods, Notary Public
My Commission expires: September 4, 2016

Notary Fees.....\$1.50
Printer's Fees.....\$280.80

SUMMARY OF ORDINANCE NO(S). 019-16, 020-16, 022-16, 024-16

RESOLUTION NO(S). 017-16, 021-16, 023-16

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER; CHAPTER 121 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON, OHIO; CITY COUNCIL RULE 6.5; AND APPLICABLE PROVISIONS OF O.R.C. CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance No. 019-16

AN ORDINANCE TO APPROVE CURRENT APRIL, 2016 REPLACEMENT PAGES TO THE NAPOLEON CODIFIED ORDINANCES

In this legislation, the City of Napoleon approved replacement pages to the Napoleon Codified Ordinances through April, 2016.

Ordinance No. 020-16

AN ORDINANCE AMENDING THE CITY OF NAPOLEON, OHIO ENGINEERING DEPARTMENT RULES AND REGULATIONS, TO WIT: RULE 4.1.3; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized an amendment to the Engineering Department Rules and Regulations, Rule 4.1.3. A complete copy of said Rules can be obtained from the City as stated in the above Notice.

Ordinance No. 022-16

AN ORDINANCE PROVIDING FOR AN ELECTION ON THE QUESTION OF AN AMENDMENT TO THE CITY OF NAPOLEON, OHIO CHARTER ARTICLE II (COUNCIL), ARTICLE V (BOARDS AND COMMISSIONS), AND IX (INITIATIVE, REFERENDUM AND RECALL); AND DIRECTING THE BOARD OF ELECTIONS OF HENRY COUNTY, OHIO TO CONDUCT SUCH ELECTION ON THE NOVEMBER 8, 2016 BALLOT

In this legislation, the City of Napoleon authorized three separate proposed amendments to the City Charter to be placed on the November 8, 2016 General Election ballot. A complete copy of the three proposed changes to the City Charter can be obtained from the City as stated in the above Notice.

Ordinance No. 024-16

AN ORDINANCE VACATING A PORTION OF A CERTAIN ALLEY AND ROADWAY LOCATED SOUTH OF THE SOUTHERLY RIGHT-OF-WAY OF FRONT STREET AND ADJACENT TO THE WESTERLY LINE OF LOT 137 OF PHILLIPS & STAFFORDS THIRD ADDITION, AND ALSO BEING ROADWAYS WITHIN THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 13, TOWN 5, RANGE 6 EAST OF NAPOLEON, HENRY COUNTY, OHIO, AS SHOWN ON EXHIBIT "A"

In this legislation, the City of Napoleon vacated an alley and roadway at the request of the property owner.

Resolution No. 017-16

A RESOLUTION ADOPTING THE 2017 TAX BUDGET FOR THE CITY OF NAPOLEON, OHIO, AS REQUIRED IN SECTION 5705.28 OF THE ORC AND DIRECTING THE FINANCE DIRECTOR TO FILE THE SAME WITH THE COUNTY AUDITOR; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon adopted the 2017 Tax Budget.

Resolution No. 021-16

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE OHIO BUREAU OF WORKERS' COMPENSATION (BWC FORM U-69) TO PROVIDE WORKERS' COMPENSATION COVERAGE FOR CITY VOLUNTEERS; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to enter into a contract with the Ohio Bureau of Workers' Compensation to provide workers' compensation coverage for City volunteers.

Resolution No. 023-16

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF \$25,000.00 FOR A PROJECT KNOWN AS 2016 MANHOLE LINING PROJECT; AUTHORIZING COMPETITIVE BIDDING IN REGARD THERETO; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the expenditure of funds over \$25,000.00 for a 2016 manhole lining project, as well as authorization for competitive bidding for the project.

ALL OF THE ABOVE SUMMARIES ARE APPROVED AS TO FORM AND CORRECTNESS BY LISA L. NAGEL, CITY LAW DIRECTOR